

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JANELYS HERNANDEZ,  
Plaintiff,  
-against-  
B.C. HATS, INC.,  
Respondent.

USDC SDNY  
DOCUMENT  
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23-CV-2497 (AS) (BCM)

**ORDER**

**BARBARA MOSES, United States Magistrate Judge.**

This action was filed on March 24, 2023. (Dkt. 1.) On October 2, 2023, the Court noted the lack of evidence on the docket that plaintiff had served defendant within the 90-day time limit prescribed by Fed. R. Civ. P. 4(m), and required plaintiff to update the Court on her efforts to do so no later than October 5, 2023. (*See* Dkt. 7.) On October 3, 2023, Plaintiff explained, via letter, that she had twice attempted service on defendant, failed both times, but had amended her summons form and required more time to effect service. (*See* Dkt. 9.) The Court then granted plaintiff until November 6, 2023 to do so. (*See* Dkt. 11.)

Plaintiff's extended deadline to serve the summons and complaint, and to file proof of such service, has now come and gone. Plaintiff requested and received the issuance of amended summonses on October 11 and 16, 2023 (*see* Dkts. 10, 12-14), but she has not filed proof of service on defendant, nor has she sought another extension of time to do so.

The Court *sua sponte* extends plaintiff's time to file proof of service of process on defendant to **November 20, 2023**. Plaintiff is warned that she should not expect any additional extensions. Should plaintiff fail to comply with this Order, her claims may be dismissed without further notice.

Dated: New York, New York  
November 8, 2023

**SO ORDERED.**



**BARBARA MOSES**  
United States Magistrate Judge